

## **REMARKS**

In the Office Action, the Examiner rejected the claims 39 – 74 and 80 – 84 under section 101, rejected claims 39 – 74, 73, 74 and 91 under the second paragraph of section 112, rejected claims 39 - 46, 51, 53 - 56, 58 - 61, 70, 72, 75 - 77 and 79 - 83 and 85 - 88 as obvious over Clouthier in view of Spaulding and Knox, rejected claims 47, 48 and 50 as obvious over Clouthier and Spaulding and Knox in view of Hiratsuka, rejected claim 49 as obvious over Clouthier, Spaulding, Knox, Hiratsuka and Wong, rejected claims 52, 57, 62, 71, 78 as obvious over Clouthier, Spaulding, Knox and Venkateswar, rejected claims 63, 65, and 69 as obvious over Clouthier, Spaulding, Knox and Endoh, rejects claims 64 and 66 as obvious over Clouthier, Spaulding, Knox, Endoh and Brindle, rejected claims 67 and 68 as obvious over Clouthier, Spaulding, Knox, and Zuefle, and rejected claims 73 and 74 as obvious over Clouthier, Spaulding, Knox, Venkatewar and Applicant's admitted prior art, and rejected claim 84 as obvious over Clouthier, Spaulding, Knox and well known art.

### **35 USC §101**

The claims provide that the data is transmitted for further processing. Applicant respectfully submits that providing data for further processing provides an output such that the claims define patentable subject matter.

### **35 USC §112, 2<sup>nd</sup> ¶**

Claims 39, 73 and 91 have been amended to overcome the rejection. Applicant notes that claim 39 calls for “pages” in the preamble but not in body of the claim prior the noted instance, so the definite article is removed. The dependence of claim 73 is changed. The phrasing of the noted portion of claim 91 is amended.

### **35 USC §103(a)¶**

In the obviousness rejection the examiner cites a new reference Knox (US patent 5,649,073) and asserts obviousness of the present invention by combining Knox with formally cited references to Clouthier and Spaulding.

Regarding the differences between the present invention and Clouthier and Spaulding please refer to the remarks of the previous amendment.

Page 5, paragraph 1 - 3 of the Office Action refers to a difference which examiner recognizes between the present invention and a combination of Clouthier and Spaulding, namely that transmitting is performed without transmitting image raster data of said marked tiles having gray scale values of a predetermined model dither cell.

The examiner asserts that Knox discloses such transmitting and is combinable with Clouthier and Spaulding, thus resulting in the claimed invention. Applicants respectfully traverse this assertion.

Examiner refers in particular to figure 6A, 6B as well as column 5, lines 20 - 30 and column 8, lines 3 - 11 of Knox. However, as becomes clear immediately from these portions of Knox, Knox is dealing with a completely difference problem than the present invention. Whereas the present invention deals with the problem of transmitting high volume print data streams containing a plurality of pages and transmitting the data page-by-page (see the present specification page 8, lines 2 - 4), Knox is dealing with the problem of calibrating a printer using test patens, see said lines 21 - 27 in column 5 and in addition column 2, lines 6 - 28. Applicant submits that Knox therefore fails to transmit image data containing tile information et al. Also examiner admits on page 5, second paragraph of the Office Action that Knox just discloses to transfer model parameters and tone reproduction curve (TRC) during a calibration mode of the printer. It is clear that such data are independent of image raster data. However, the data mentioned in Knox are only deriving from printed pages which are afterwards measured, see column 5, lines 34 - 37. This is a completely different process than the process of the present invention in which a plurality of pages of a print data stream is transmitted, whereby the page data are compressed and modified before the transmission process.

Therefore Applicants respectfully disagree with the examiners statement on page 5, third paragraph, regarding the motivation to combine Knox with the references Clouthier and Spaulding. As Knox is only talking about calibration a printer it would not be obvious to combine with Clouthier and Spaulding for modifying a print data stream before a

transmission. Even if it would be combined it would not lead to the present invention, because according to Knox the calibration data are just transmitted for adjustment of a printer, but it is not the purpose of Knox to transmit individual page/image data in order to print out the respective individual page/image.

Accordingly, Applicant respectfully submits that the claims as presented herein are non-obvious over the combined teachings of the cited prior art and withdrawal of the obviousness rejection is hereby requested.

### **Conclusion**

Applicants respectfully request favorable reconsideration and allowance of the present application in view of the foregoing.

Respectfully submitted,



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